

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRAVELERS INDEMNITY COMPANY OF
CONNECTICUT,

Plaintiff,

v.

ORDER TO SHOW CAUSE

FARM FAMILY CASUALTY INSURANCE
COMPANY,

21-CV-00830 (PMH)

Defendant.

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PHILIP M. HALPERN, United States District Judge:

Plaintiff brings this action for declaratory judgment seeking a declaration that Defendant Farm Family Casualty Insurance Company is obligated to defend and indemnify certain non-parties in connection with an underlying personal injury action pending in state court, and that Defendant is obligated to reimburse Plaintiff for defense and indemnity costs it has incurred in connection with that underlying action. Plaintiff filed, on April 8, 2021, an “Affidavit of Mailing” indicating that Defendant had been served via certified mail, care of the New York State Department of Financial Services. (Doc. 5). Thereafter, Plaintiff requested that the Clerk of Court issue a certificate of default against Defendant. (Docs. 6, 7). The Clerk of Court did not issue the requested certificate of default.

It is hereby ORDERED that Plaintiff show cause in writing on or before June 4, 2021 as to why the Clerk of Court should issue a Certificate of Default as to Defendant with specific reference as to why service of process was proper under Federal Rule of Civil Procedure 4. Failure to comply with this Order may result in dismissal of Plaintiff’s claims against Defendant pursuant to Federal Rule of Civil Procedure 41(b).

SO-ORDERED:

Dated: White Plains, New York
May 20, 2021

A handwritten signature in black ink, appearing to read 'PHM', followed by a long, sweeping horizontal stroke that extends to the right.

Philip M. Halpern
United States District Judge